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January 6, 2021

BY ECF

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: ***United States v. Brandon Green, S5 16 Cr. 281 (PGG)***

Dear Judge Gardephe:

Your Honor appointed me to be consulting stand-by counsel for Brandon Green, who is proceeding pro se. I respectfully write to inform you that after yesterday's conference, Mr. Green wrote to inform me that: (i) Mr. Green no longer wishes to have us as consulting counsel and wants to proceed *pro se* on his own; and (ii) Mr. Green wishes to appear for all further conferences with the Court in person, rather than via telephone. Unfortunately, we are unable to further communicate with Mr. Green because he removed me and my colleagues from his Corrlinks account.

Before Mr. Green's email, we mailed Mr. Green a copy of the Court's November 19, 2020 Order and the attorney-client privilege waiver form, along with the Court's January 5, 2021 Order. We included a postage paid envelope and asked Mr. Green to send the completed waiver and affidavit to us. If we receive these documents from Mr. Green, we will assist by filing them on the docket. Additionally, after yesterday's conference, we spoke with AUSA Feinstein who informed us that she also sent the waiver to Mr. Green and will send him the Court's November 19, 2020 Order and January 5, 2021 Order as well. The Government also requested that the MDC Brooklyn legal department provide Mr. Green with a copy of the waiver, and inquired about the package we sent Mr. Green that he stated he did not receive. The package appears to be in processing by the facility and will be provided to Mr. Green soon.

Even assuming that we will not be proceeding as stand-by counsel as per Mr. Green's direction, we will continue to send Mr. Green the documents from his case file that he is permitted to have, consistent with the Protective Order in this case. We plan to provide him with documents that we received from his attorneys at Duane Morris and from Ms. Dolan, absent any protected 3500 material, as well as exhibits, transcripts and other materials. Mr. Green asked for hard copy of all documents, which will take longer to process, but we expect that this production

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to him should be completed in advance of the February 9 conference. We will also plan to attend the conference on February 9, 2021, unless the Court advises otherwise.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven M. Witzel", with a stylized, cursive script.

Steven M. Witzel

Cc: AUSA Jessica Feinstein (by ECF)
Brandon Green (by mail)